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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Me Van Le, et al.

Application No.: 09/765,891

Filed: January 18, 2001

For: **METHOD AND APPARATUS FOR  
STORING POSITION OFFSET  
INFORMATION ON A HARD  
DRIVE ASSEMBLY CYLINDER**

Examiner:

Art Group:

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**JUL 20 2001**

**OFFICE OF PETITIONS**

**PETITION UNDER 37 CFR 1.47(a)**


Assistant Commissioner for Patents  
Washington, D.C. 20231-9998

Sir:

Applicant hereby petitions under 37 CFR 1.47(a) that the signature of the other inventor be accepted on behalf of himself and Jong-Ming Lin who cannot be found or reached after diligence effort. This petition is accompanied by Declarations of Jeffrey Aiello and Ben Yorks, including a statement of the pertinent facts regarding the inventor's unavailability and the inventor's last known address, and the fee as set forth in 37 CFR 1.17(i). Please accept the previously submitted Reissue Application Declaration By The Inventor, a copy of which is provided herein, signed by co-inventor Me Van Le on behalf of himself and Jong-Ming Lin in accordance with MPEP §409.03(a)(A).

Respectfully submitted,

IRELL & MANELLA LLP

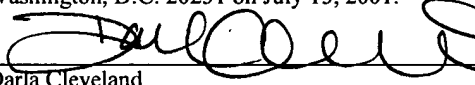
  
\_\_\_\_\_  
JONATHAN M. LINDSAY  
Reg. No. 45,810

Dated: July 13, 2001

840 Newport Center Drive, Suite 400  
Newport Beach, CA 92660  
949-760-0991

Certificate of Mailing

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in an  
envelope addressed to: Assistant Commissioner for Patents,  
Washington, D.C. 20231 on July 13, 2001.

  
\_\_\_\_\_  
Darla Cleveland Date 7/13/01



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In re Application of:

Me Van Le, et al.

Application No.: 09/765,891

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For: **METHOD AND APPARATUS FOR  
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DRIVE ASSEMBLY CYLINDER**

**DECLARATION OF BEN J. YORKS IN SUPPORT OF  
PETITION UNDER 37 CFR 1.47(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231-9998

Sir:

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I, Ben J. Yorks, hereby declare as follows:

1. I am patent counsel to Samsung Information Systems America, Inc. ("Samsung") for the above-entitled application;
2. I sent a letter to Jong-Ming Lin, one of the co-inventors, on March 23, 2001 for review of the above-entitled application and for execution of an attached Declaration, a copy of the letter is attached as Exhibit A; and
3. The letter of Exhibit A was never responded to by Mr. Lin.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated: July 13, 2001

  
\_\_\_\_\_  
Ben J. Yorks  
Reg No. 33,609

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## EXHIBIT A

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IRELL & MANELLA LLP

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INCLUDING PROFESSIONAL CORPORATIONS

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March 23, 2001

Attorney-Client Communication  
Privileged and Confidential

Mr. Jong-Ming Lin  
7950 Cranberry Circle  
Cupertino, California 95014

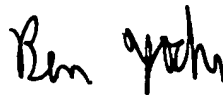
Re: Reissue Patent Application 5,867,343  
Title: METHOD AND APPARATUS FOR STORING POSITION OFFSET  
INFORMATION ON A HARD DRIVE ASSEMBLY CYLINDER  
Our Reference: 155634-0116 (P006XRE)

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Dear Mr. Lin:

Samsung has recently filed a Reissue patent application for the above entitled patent. Enclosed is a copy of the patent application. The application is seeking different claim coverage. If the application is correct, please sign and date the enclosed Declaration and return the executed document to our office. Our deadline to file this declaration with the Patent and Trademark Office is April 14, 2001.

Sincerely,



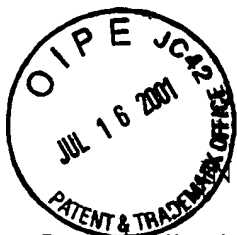
Ben J. Yorks

BJY/wrj  
Enclosure

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**JUL 2 0 2001**

**OFFICE OF PETITIONS**

**DECLARATION OF JEFFREY AIELLO IN SUPPORT OF  
PETITION UNDER 37 CFR 1.47(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231-9998

Sir:

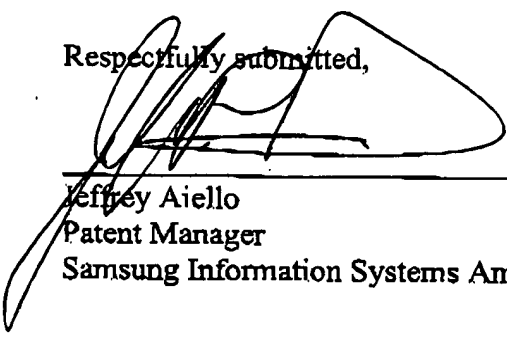
I, Jeffrey Aiello, hereby declare as follows:

1. I am a Patent Manager at Samsung Information Systems America, Inc. ("Samsung");
2. Jong-Ming Lin was an employee of Samsung from September 3, 1991 to March 20, 1995, and a co-inventor on the above-entitled application;
3. The last known address for Mr. Lin is:  
7950 Cranberry Circle  
Cupertino, CA 95014; and,
4. During his employment with Samsung, Mr. Lin was obligated to assign inventions to Samsung pursuant to an Employee Confidentiality and Inventions Agreement.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: July 13, 2001

Respectfully submitted,



Jeffrey Aiello  
Patent Manager  
Samsung Information Systems America, Inc.

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